

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MINNIE L. ESPINO,

No. C 18-02729 JSW

Plaintiff,

v.

WINN RESIDENTIAL,

Defendant.

**ORDER ADOPTING REPORT AND  
RECOMMENDATION AND  
DISMISSING CASE WITH LEAVE TO  
AMEND IN PART**

On July 27, 2018, Magistrate Judge Joseph C. Spero issued a Report and Recommendation, in which he recommended the Court dismiss Plaintiff's first amended complaint with leave to amend and to dismiss her claim under 18 U.S.C. section 242 with prejudice. Plaintiff has not filed an objection to the Report and Recommendation within the time required by Federal Rule of Civil Procedure 72.

The Court has reviewed Magistrate Judge Spero's Report and Recommendation and finds it correct, well-reasoned and thorough, and adopts it in every respect. Accordingly, the Court HEREBY DISMISSES the above-captioned action with leave to amend, with the exception that the claim under 18 U.S.C. section 242 be dismissed with prejudice as the claim cannot be cured.

If Plaintiff intends to file an amended complaint to continue to pursue this action, she must file such a complaint by no later than **September 28, 2018**. In this regard, the Court advises Plaintiff that a Handbook for Pro Se Litigants, which contains helpful information about proceeding without an attorney, is available through the Court's website or in the Clerk's office. The Court also advises Plaintiff that she also may wish to seek assistance from the Legal Help Center. Plaintiff may

1 call the Legal Help Center at (415) 782-8982 or sign up on the 15th Floor of the San Francisco  
2 Courthouse, Room 2796, or on the 4th Floor of the Oakland Courthouse, Room 470S, for a free  
3 appointment with an attorney who may be able to provide basic legal help, but not legal  
4 representation.

5 Plaintiff is admonished that failure to file an amended complaint by **September 28, 2018**  
6 shall result in dismissal of this action in its entirety.

7  
8 **IT IS SO ORDERED.**

9 Dated: August 21, 2018

  
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JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE